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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,237	02/02/2004	Daniel Cuende Alonso	2807-1-001	9483

7590 01/26/2011  
KLAUBER & JACKSON  
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411 Hackensack Avenue  
Hackensack, NJ 07601

EXAMINER
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SAID, MANSOUR M

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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01/26/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/770,237	<b>Applicant(s)</b> ALONSO, DANIEL CUENDE	
	<b>Examiner</b> MANSOUR M. SAID	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2 and 4-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### **Response to Arguments**

1. This Office Action is in response to the amendment filed on 10/8/10.

### **Drawings**

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “configuration by extrapolation from visibility study regions with a similar morphology” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-2 and 4-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) The claimed limitations, such as, "a system for automatically locating visibility zones" is not clear, what kind of the system is claimed. For example, a device, such as, a display panel. Correction is needed.

b) The claimed limitations, at least, "study region" is not clear if the study region is part of the viewer direction toward the display board. Correction is needed.

### **Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hampton et al. (6,252,522; hereinafter referred to as Hampton) in view of Nicholson et al. (US 6,414,650 B1; hereinafter referred to as Nicholson)**

Hampton teaches a system for automatically locating visibility zones from which an element to be viewed is visible (figure 1 and column 3, lines 15-30), wherein it comprises at least a computer application provided with locating means that enable to locate said potential and effective visibility zones by means of a set of visibility zone locating criteria (figures 1-3, column 1, lines 45-67 and column 6, lines 45) comprising: at least one item of data about the an element to be viewed selected from location morphology, orientation and combinations thereof, with which the potential visibility zone locating means automatically locate at least on potential visibility zone assigned to the element to be viewed and at least one visibility study region mapped and stored on a computer medium with which, as function of the said potential visibility zone (figures 1-3, column 1, lines 45-67, column 2, lines 59-67, column 3, lines 1-30, column 4, lines 1-53, column 5, lines 1-67 and column 6, lines 1-45) , the effective visibility zone locating means automatically locate effective visibility selected from effective visibility areas, effective visibility axes and combinations thereof, from which the element to be viewed is visible (figures 1-3, column 1, lines 45-67, column 2, lines 59-67, column 3, lines 1-30, column 4, lines 1-53, column 5, lines 1-67 and column 6, lines 1-45), and wherein the computer application further comprises means for configuring at least one visibility zone locating criterion (figures 1-3, column 1, lines 45-67, column 2, lines 59-67, column 3, lines 1-30, column 4, lines 1-53, column 5, lines 1-67 and column 6, lines 1-45), said means of configuration being selected from manual configuration (column 6, lines 5-20).

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Hampton does not teaches, default configuration, configuration by visibility optimization criteria and combinations thereof.

However, Nicholson teaches that default (reset) configuration, configuration by visibility optimization criteria and combinations thereof (column 14, lines 25-67, column 15, lines 54-64).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Nicholson's teaching into Hampton's system so as to provide a sign system for creating extremely light weight, reconfigurable, changeable signs suitable for outdoor (column 2, lines 59-67).

### **Allowable Subject Matter**

7. Claims 2 and 4-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Response to Arguments**

8. Applicant's arguments with respect to claims 1-2 and 4-13 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mansour M. Said whose telephone number is 571-272-7679. The examiner can normally be reached on Monday through Thursday from 8:30-6:00 P.M. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST. If attempts to

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reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quan-Zhen Wang whose telephone number is 571-272-3114.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: 571-273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window at the Randolph Building, 401, Dulany Street, Alexandria, VA 22314.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MANSOUR M SAID/  
Examiner, Art Unit 2629

/Quan-Zhen Wang/  
Supervisory Patent Examiner, Art Unit 2629